

REMARKS/ARGUMENTS

The Office Action mailed on March 25, 2004 has been reviewed and carefully considered.

Claims 1-34 were rejected under 35 USC 102(e) as being anticipated by Garudadri, U.S. Patent No. 6,519,479. Claims 1 and 18 have been amended. Claims 1-34 remain pending in this application, with claims 1 and 18 being the only independent claims. Reconsideration and withdrawal of the aforementioned rejection is respectfully requested.

Before discussing the cited prior art and the Examiner's rejection of the claims in view of that art, it would be appropriate to present a brief summary of applicant's claimed invention. With reference to amended claim 1, lines 1-2 and 13-14 (see also page 6, lines 6 to 17 of the specification), a subscriber initiates an action available on a communications network through the use of a spoken utterance which activates a control sequence at the network. The action includes access to a feature available on the network (claim 1, line 11), such as call forwarding, placing a call on hold, conferencing, voice mail, call back, and caller ID features (page 6, lines 10-11). To enable recognition of the spoken utterance, a system state database is maintained (claim 1, lines 3-6), illustratively at a network level or at a point between the network and the subscriber's handset (page 6, lines 18-20). The system state database includes a plurality of nodes (claim 1, lines 3-4). Each node represents a particular state of a plurality of possible system states (claim 1, lines 4-5; see also page 6, lines 20-21). Associated with each node is a predetermined grammar that includes one or more reserved words descriptive of the action to be performed (claim 1, lines 5-6; see also page 7, lines 1-5).

A. Rejections Under 35 USC 102(e)

The Examiner rejected claims 1-34 under 35 USC 102(e) as being anticipated by Garudadri, U.S. Patent No. 6,519,479. With respect to independent claim 1, the Examiner argued that Garudadri discloses a method for permitting a subscriber to perform an action available on a communications network using a spoken utterance. In support of his allegation, the Examiner cited col. 3, lines 10-67 of Garudadri.

Garudadri does not relate to performance of an action that is available on a communications network. Instead, Garudadri is directed to utilization of spoken utterances to control functions on a local, user-specific device. In the context of a speech-enabled device, Garudadri is "configured to prompt the user... in response to occurrence of a user-defined event, to speak a voice tag to be associated with an entry in a call history of the speech-enabled device." (see col. 3, lines 16-19). The techniques of Garudadri are directed to overcoming the laborious task of a user setting up a personal phonebook of telephone numbers and associated voice tags on a voice-recognition-enabled cellular telephone (col. 2, line 67- col. 3, line 7). Accordingly, Garudadri monitors incoming and outgoing calls at a specific speech-enabled device to identify telephone numbers corresponding to frequently placed calls and frequently received calls. After a certain number of calls have been placed to and/or received from a given telephone number, the speech-enabled device is programmed to prompt the user to record a voice tag for that number (col. 3, lines 27-42). Unlike applicant's claimed invention, no network features are initiated or controlled. Instead, Garudadri controls functions that are specific to a user's handset and the call history associated therewith.

B. Claim Amendments

In view of the foregoing distinctions, independent claims 1 and 18 have been amended to more particularly emphasize the novelty of applicant's invention over Garudadri. Method claim 1 has been amended to specify performance of an action at the network..."wherein the action activates a control sequence at the network for accessing a feature available on the network". Similarly, system claim 18 has been amended to specify means for performing an action represented by the spoken utterance at the network..."wherein the action activates a control sequence at the network for accessing a feature available on the network". The amended claim language is supported by the specification at page 6, lines 6-9.

C. Summary

Garudadri neither discloses nor suggests performance of an action at the network, wherein the action activates a control sequence at the network for accessing a feature available on the network. Accordingly, claims 1 and 18 are neither anticipated by, nor rendered obvious in view of, Garudadri. Claims 2-17 depend, either directly or indirectly, from claim 1. Claims 19-34 depend, either directly or indirectly, from claim 18. Accordingly, dependent claims 2-17 and 19-34 are patentable over Garudadri for the reasons set forth above in connection with independent claims 1 and 18.

Based upon the foregoing considerations, it is respectfully submitted that the present invention as set forth in claims 1-34 is clearly and patentably distinguishable over the applied reference. Accordingly, prompt and favorable action leading to allowance of the present application is respectfully solicited.

Should the Examiner have any comments, questions, suggestions, or objections, he is respectfully requested to telephone the undersigned in order to facilitate reaching a resolution of any outstanding issues.

It is believed that no fees or charges are required at this time in connection with the present application; however, if any fees or charges are required at this time, they may be charged to our Patent and Trademark Office Deposit Account No. 03-2412.

Respectfully submitted,

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Dated: June 24, 2004